

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**BARBARA MEIER, et al.,** §  
§  
**Plaintiffs,** §  
§  
v. § **Case No. 4:18-cv-00615-ALM**  
§  
**UHS OF DELAWARE, INC., et al.,** §  
§  
**Defendants.** §

---

**AGREED JOINT MOTION TO MODIFY SCHEDULING ORDER**

---

**TO THE HONORABLE UNITED STATES DISTRICT COURT:**

COMES NOW, all of the Plaintiffs and all of the Defendants, by and through their Attorneys of Record, and files this Agreed Joint Motion to Modify Scheduling Order and would show as follows:

**1.00 CERTIFICATE OF CONFERENCE**

1.01 Counsel for all of the Parties have conferred regarding the merits of this Motion and this Motion is unopposed. A proposed “Agreed Order Granting Agreed Joint Motion to Modify Scheduling Order” has been submitted to the Court contemporaneously with the filing of this Motion.

**2.00 PROCEDURAL BACKGROUND**

2.01 As of now the Pre-trial Conference in this case is set for February 28, 2020 at 9:00 a.m. In preparation for that Conference under the Order entered herein setting forth the pre-trial schedule for the parties. The Parties have exchanged Motions in Limine, Witness Lists, Exhibit

Lists, and Deposition Designations / Extracts. The Parties have also exchanged their respective Responses and Objections thereto. However, despite the efforts of counsel the parties have not conferred with one another on these matters as thoroughly as they believe they should to aid the Court in advance of the February 28<sup>th</sup> hearing at 9:00 a.m.

2.02 The Parties are still actively engaging in oral depositions this week, and many of the attorneys are traveling today to Florida to three additional oral depositions in this case tomorrow and the next day. Two more depositions were taken in the last two days. The Parties respectfully request the entry of an Order granting the Parties until Tuesday, February 25, 2020 in which to more fully confer with one another regarding the various pre-trial filings and until February 26, 2020 to notify the Court in writing of the matters which are unopposed or opposed for the Court's consideration.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully request the entry of an Order granting them until Tuesday, February 25, 2020 to confer on all of the various pre-trial filings, the Responses or Objections thereto, and until Wednesday, February 26, 2020 to advise the Court in writing of the matters which are opposed and unopposed, and for any and all other relief, at law and in equity, for which the Parties may show themselves justly entitled.

**Respectfully submitted,**

*/s/ John T. Burkhead*  
John Tindall Burkhead  
State Bar No. 24072010  
[jburkhead@flbranson.com](mailto:jburkhead@flbranson.com)  
Thomas J. Farmer  
State Bar No. 06826400  
Email: [tjfarmer@flbranson.com](mailto:tjfarmer@flbranson.com)

THE LAW OFFICES OF FRANK L. BRANSON, P.C.  
Highland Park Place  
4514 Cole Avenue, 18th Floor  
Dallas, Texas 75205  
Tel: (214) 522-0200  
Fax: (214) 521-5485

**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing has been served upon all attorneys of record listed below on this 19<sup>th</sup> day of February, 2020 via electronic filing / service.

<p>Martin J. Cirkiel  State Bar No. 00783829  <a href="mailto:marty@cirkielaw.com">marty@cirkielaw.com</a>  CIRKIEL &amp; ASSOCIATES, P.C.  1901 E. Palm Valley Boulevard  Round Rock, Texas 78664  Tel: (512) 244-6658  Fax: (512) 244-6014  <b>CO-COUNSEL ATTORNEYS FOR PLAINTIFFS</b></p>	<p>Russell W. Schell  Texas Bar No.17736800  <a href="mailto:rschell@schellcooley.com">rschell@schellcooley.com</a>  Timothy D. Ryan  Texas Bar No. 17483600  <a href="mailto:tryan@schellcooley.com">tryan@schellcooley.com</a>  SCHELL COOLEY RYAN CAMPBELL LLP  5057 Keller Springs Road, Suite 425  Addison, Texas 75001  Tel: (214) 665-2000  Fax: (214) 754-0060  <b>ATTORNEYS FOR HOSPITAL DEFENDANTS</b></p>
<p>Stacy L. Brainin  State Bar No. 02863075  <a href="mailto:stacy.brainin@haynesboone.com">stacy.brainin@haynesboone.com</a>  Anne M. Johnson  State Bar No. 00794271  <a href="mailto:anne.johnson@haynesboone.com">anne.johnson@haynesboone.com</a>  George W. Morrison  State Bar No. 24007710  <a href="mailto:bill.morrison@haynesboone.com">bill.morrison@haynesboone.com</a>  Neil Issar  State Bar No. 24102704  <a href="mailto:neil.issar@haynesboone.com">neil.issar@haynesboone.com</a>  HAYNES AND BOONE, LLP  2323 Victory Avenue, Suite 700  Dallas, Texas 75219  Tel: (214) 651-5000  Fax: (214) 651-5940  <b>ATTORNEYS FOR UHS DEFENDANTS</b></p>	<p>David C. McCue  Texas State Bar No. 13494100  <a href="mailto:dmccue@mcpaulaw.com">dmccue@mcpaulaw.com</a>  Bruce A. Pauley  Texas State Bar No. 15643200  <a href="mailto:bpauley@mcpaulaw.com">bpauley@mcpaulaw.com</a>  Mary T. Sullivan  Texas State Bar No. 24026656  <a href="mailto:msullivan@mcpaulaw.com">msullivan@mcpaulaw.com</a>  McCUE-PAULEY &amp; ASSOCIATES, P.C.  15150 Preston Road, Suite 200  Dallas, Texas 75248  Tel: (972) 490-0808  Fax: (972) 490-9545  <b>ATTORNEYS FOR DEFENDANT SABAHT FAHEEM</b></p>

<p>R. Brent Cooper State Bar No. 04783250 <a href="mailto:Brent.Cooper@cooperscully.com">Brent.Cooper@cooperscully.com</a> Eric W. Hines State Bar No. 24010107 <a href="mailto:Eric.Hines@cooperscully.com">Eric.Hines@cooperscully.com</a> Chad M. Nelson State Bar No. 24102930 <a href="mailto:Chad.Nelson@cooperscully.com">Chad.Nelson@cooperscully.com</a> COOPER &amp; SCULLY, P.C. 900 Jackson Street, Suite 100 Dallas, Texas 75202 Tel: (214) 712-9500 Fax: (214) 712-9540 <b>ATTORNEYS FOR CHANG DEFENDANTS</b></p>	<p>Edward P. Quillin State Bar No. 16431790 <a href="mailto:equillin@equillinlaw.com">equillin@equillinlaw.com</a> T.B. 'Nick' Nicholas, Jr. State Bar No. 14991700 <a href="mailto:nnicholas@equillinlaw.com">nnicholas@equillinlaw.com</a> QUILLIN LAW FIRM, P.C. 4101 McEwen Road, Suite 540 Dallas, Texas 75244 Tel: (972) 386-6664 Fax: (972) 386-6680 <b>ATTORNEYS FOR DEFENDANT JAMAL RAFIQUE, M.D.</b></p>
<p>Russell G. Thornton State Bar No. 19982850 <a href="mailto:rthornton@trtblaw.com">rthornton@trtblaw.com</a> THIEBAUD REMINGTON THORNTON BAILEY, LLP Two Energy Square 4849 Greenville Ave., Suite 1150 Dallas, Texas 75206 Tel: (214) 954-2200 Fax: (214) 754-0999 <b>ATTORNEYS FOR DEFENDANT SEJAL MEHTA</b></p>	<p>Bertina B. York State Bar No. 0335455 <a href="mailto:bertina.york@nortonrosefulbright.com">bertina.york@nortonrosefulbright.com</a> NORTON ROSE FULBRIGHT US LLP Frost Tower 111 W. Houston Street, Suite 1800 San Antonio, Texas 78205 Tel: (210) 224-5575 Fax: (210) 270-7205  Robert J. Swift State Bar No. 19585700 <a href="mailto:robert.swift@nortonrosefulbright.com">robert.swift@nortonrosefulbright.com</a> NORTON ROSE FULBRIGHT US LLP Fulbright Tower 1301 McKinney, Suite 5100 Houston 77010-3095 Tel: (713) 651-5151 Fax: (713) 651-5246 <b>ATTORNEYS FOR GARY MALONE</b></p>

Dana Morgan State Bar No. 24007705 <a href="mailto:danamorgan@steedlawfirm.com">danamorgan@steedlawfirm.com</a> Jordan L. Fontenot State Bar No. 24098956 <a href="mailto:jordanfontenot@steedlawfirm.com">jordanfontenot@steedlawfirm.com</a> STEED LAW FIRM 250 East Evergreen Street Sherman, Texas 75090 Tel: (903) 813-3900 Fax: (903) 813-3909 <b>ATTORNEYS FOR DEFENDANTS</b> <b>HARMANPREET BUTTAR, QUINGGUO</b> <b>TAO and TIMOTHY TOM</b>	D. Bowen Berry State Bar No. 02233280 <a href="mailto:bberry@settlepou.com">bberry@settlepou.com</a> Gary D. Lykins State Bar No. 12715600 <a href="mailto:dlykins@settlepou.com">dlykins@settlepou.com</a> SETTLEPOU 3333 Lee Parkway, Eighth Floor Dallas, Texas 75219 Tel: (214) 520-3300 Fax: (214) 526-4145 <b>ATTORNEYS FOR DEFENDANT</b> <b>GARY MALONE</b>
--	--

/s/ John T. Burkhead  
JOHN T. BURKHEAD